

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

THOMPSON TRACTOR COMPANY,
INC.,

Plaintiff,

vs.

J. RUSSELL FLOWERS, INC.,
as owner of the M/V SAFETY GLORY,

Defendant.

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CASE NO.: _____

COMPLAINT

COMES NOW Thompson Tractor Company, Inc. ("Thompson Tractor"), Plaintiff, by and through undersigned counsel, and alleges the following as its Complaint against Defendant, J. Russell Flowers, Inc. ("Flowers"):

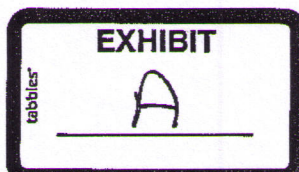
PARTIES

1. Plaintiff Thompson Tractor is an Alabama corporation with its principal place of business located at 2401 Pinson Valley Parkway, Birmingham, Alabama 35247.
2. Defendant Flowers is a Mississippi corporation with its principal place of business in Greenville, Mississippi.
3. The M/V SAFETY GLORY is a 70' towing vessel, bearing official number 1223153, that was constructed by B&B Boatbuilders in Bayou la Batre, Alabama, and delivered to its owner, Flowers, on or about November 13, 2009.

FIRST CAUSE OF ACTION

Enforcement of Watercraft Lien Against the M/V SAFETY GLORY

4. Plaintiff incorporates the allegations set forth in paragraphs 1-3 above as if fully set forth herein.



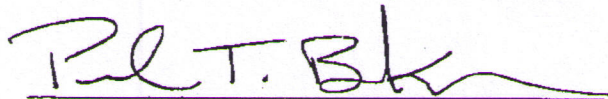
5. Thompson Tractor provided marine propulsion engines which were used in the construction of the M/V SAFETY GLORY in Bayou la Batre, Alabama, consisting of two 3508 Caterpillar engines with appropriate gears and other pertinent equipment.

6. Thompson Tractor is currently owed the amount of \$498,160.00 for the above-referenced equipment, according to the affidavit of Richard Tremayne attached hereto as Exhibit 1 and the invoice attached thereto as Exhibit A, all incorporated herein.

7. Thompson Tractor has declared a lien against the M/V SAFETY GLORY, pursuant to Alabama Code § 35-11-60, in said affidavit attached hereto as Exhibit 1.

8. This action to enforce the watercraft lien is brought within six (6) months of the date the demand for payment became due.

WHEREFORE, Thompson Tractor demands judgment against Defendant Flowers in the amount of \$498,160.00, plus attorney's fees, interest and all costs of this action, and Thompson Tractor further demands that the M/V SAFETY GLORY be seized and sold at auction to satisfy the judgment so entered.



ALEX F. LANKFORD, III (LAN029)

JAIME W. BETBEZE (BET009)

PAUL T. BECKMANN (BEC028)

Attorneys for Plaintiff Thompson Tractor Company,
Inc.

OF COUNSEL:

HAND ARENDALL LLC

Post Office Box 123

Mobile, AL 36601

(251) 432-5511

Fax: (251) 544-1603

E-Mail: alankford@handarendall.com

jbetbeze@handarendall.com

pbeckmann@handarendall.com